

Application No. 10/736,482
Reply to Office Action of March 1, 2006
Response Dated May 16, 2006

REMARKS

This Amendment responds to the Office Action mailed March 1, 2006, and the Advisory Action mailed May 10, 2006. Claims 1-7 remain pending in the application prior to this amendment and stand rejected. Claims 1, 4 and 6 have been amended herein.

Applicant thanks the Examiner, Robert R. Raevis, for the telephone interview with Applicant's representative, David W. Dorton, on March 20, 2006. During the interview, claims 1, 4 and 6 were discussed with respect to the references of record. The Examiner indicated that the deletion of "annular" in claims 1, 4 and 6 would overcome the rejections under 35 U.S.C. §112. The Examiner also indicated that independent claims 4 and 6 are only rejected under 35 U.S.C. §112 and that amendments to these claims to correct the informality would place the claims in condition for allowance. The Examiner suggested that amending claim 1 to recite the structure of a pressure relief valve to be tested by the claimed apparatus enable such structure to be given consideration in view of the references of record. Claims 1, 4 and 6 have been amended herein in accordance with the interview.

An amendment was filed on May 1, 2006, to amend claims 1, 4 and 6, and add new claims 8 and 9. The amendment was not entered. In the Advisory Action dated May 10, 2006, the Examiner indicated that claims 1-7 would be allowable if submitted without claims 8-9. This supplemental amendment corresponds to the amendment filed May 1, 2006, without new claims 8 and 9. Applicant therefore respectfully requests favorable indication of allowance for claims 1-7 in view of the following remarks.

Application No. 10/736,482
Reply to Office Action of March 1, 2006
Response Dated May 16, 2006

Claims Rejected Under 35 U.S.C. §112

Claims 1-7 stand rejected under 35 U.S.C. §112, second paragraph, with regard to informalities associated with the claim language. Claims 1, 4 and 6 have been amended herein to delete "annular" from these claims. The specification has also been amended to delete this word, as suggested by the Examiner. Accordingly, Applicant respectfully requests that rejections of claims 1-7 under 35 U.S.C. §112 be withdrawn.

Claim Rejections Based on U.S. Patent No. 2,178,901 to Webster

Claims 1 and 2 stand rejected under 35 U.S.C. §102(b) as being anticipated by Webster '901. Claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Webster '901. Claim 1 is the only independent claim of this rejected group and has been amended herein to positively recite the structure of the pressure relief valve within the body of the claim, as suggested by the Examiner. Applicant asserts that amended claim 1 is not taught or suggested by Webster '901 because Webster '901 fails to teach or suggest the claimed structure, namely "a pressure relief valve received in said cavity, said pressure relief valve comprising a sleeve having a passage therein, a valve spool within said passage, and a spring within said passage and cooperating with said valve spool to limit flow through said passage," as recited in amended claim 1. Accordingly, Applicant respectfully requests that the rejections of claims 1-3 based on Webster '901 be withdrawn.

Application No. 10/736,482
Reply to Office Action of March 1, 2006
Response Dated May 16, 2006

Conclusion

In view of the foregoing amendments to the claims and the remarks set forth herein, Applicant believes this case is in condition for allowance and respectfully requests allowance of the pending claims. If the Examiner believes any issue requires further discussion, the Examiner is respectfully asked to telephone the undersigned attorney so that the matter may be promptly resolved. The Examiner's prompt attention to this matter is appreciated.

Applicant does not believe any other fees are due in connection with filing this response other than the additional independent claim fee. However, if any fees are necessary, the Commissioner is hereby authorized to charge any underpayment or fees associated with this communication or credit any overpayment to Deposit Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By: /David W. Dorton/
David W. Dorton, Reg. No. 51,625

2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202
(513) 241-2324 (voice)
(513) 241-6234 (facsimile)